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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,954	07/22/2003	Steffen Derhardt	A-3772	6281
24131	7590	09/08/2008	EXAMINER	
LERNER GREENBERG STEMER LLP			CULLER, JILL E	
P O BOX 2480				
HOLLYWOOD, FL 33022-2480			ART UNIT	PAPER NUMBER
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			09/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/624,954	DERHARDT, STEFFEN	
Examiner	Art Unit		
JILL E. CULLER	2854		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 May 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 1,542,027 to Blaine in view of U.S. Patent No. 6,490,974 to Wadlinger et al.

With respect to claim 1, Blaine teaches a device for starting or throwing-on and discontinuing or throwing-off printing in a printing press comprising: an impression cylinder; a cylinder, 10, 11, acting as a form cylinder, a blanket cylinder, or both; an applicator roller, 14, a roller throw-on and throw-off bearing for throwing said applicator roller on and off, said cylinder, said roller throw-on and throw-off bearing including a rotatably mounted first actuating element; a cylinder throw-on and throw-off bearing for throwing a cylinder on and off said impression cylinder, said cylinder throw-on and throw-off bearing including a rotatably mounted second actuating element; a coupler, 13, forming a coupler mechanism together with said first and said second actuating elements. See page 1, lines 32-107 and the Figures.

Blaine does not teach a thrust joint having a dead thrust travel and articulatingly connecting one of said actuating elements to said coupler.

Wadlinger et al. teaches a device for throwing-on and throwing-off a press element in a printing press including a thrust joint, 29, having a dead thrust travel and

articulatingly connecting an actuating element to a coupler, 28, said thrust joint having a slot and a joint pin, said joint pin covering a thrust travel within said slot while throwing said single cylinder on and off said impression cylinder. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

It should be noted that Blaine does not teach a single cylinder, wherein the applicator roller is thrown on and off the single cylinder and the same single cylinder is thrown on and off the impression cylinder. However, it is well known in the art to have an applicator roller directly in contact with a single form cylinder, instead of in contact with a plate cylinder, separated from the impression cylinder by a transfer cylinder, as taught by Blaine. Therefore, one having ordinary skill in the art would recognize the advantages of applying the cylinder throw-on and throw-off mechanisms taught by Blaine to the applicator roller and form cylinder in such a system, which combination would satisfy the limitations of this claim.

Also, Wadlinger is silent concerning the length of the slot for the thrust joint with respect to the distance of the thrust travel. Although there is no explicit teaching that the slot has a length greater than the thrust travel, there is also no teaching that this is not the case. As such, the length of the slot would appear to be a matter of design choice, having no apparent patentable significance and therefore is considered to be obvious to one having ordinary skill in the art.

With respect to claim 2, Blaine teaches the first actuating element is an eccentric bushing, 33. See page 1, lines 80-84.

With respect to claim 3, Blaine teaches the second actuating element is a cam ring. See page 1, lines 60-70.

With respect to claim 4, Blaine does not teach that said thrust joint connects said first actuating element to said coupler.

Wadlinger et al. teaches that said thrust joint connects a first actuating element to a coupler, 28. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

With respect to claims 5-6, Blaine does not teach that said thrust joint is a rotary and thrust joint wherein the joint pin is to be rotatably and displaceably guided in said slot.

Wadlinger et al. teaches that said thrust joint is a rotary and thrust joint wherein the joint pin is to be rotatably and displaceably guided in said slot. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint details of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

With respect to claim 7, Blaine does not teach that said applicator roller is associated with said at least one of said form and blanket cylinder as a single applicator roller.

Wadlinger et al. teaches an applicator roll, 11, that is associated with said at least one of said form and blanket cylinder as a single applicator roller. See column 4, lines 47-56 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to have a single applicator roll, as taught by Wadlinger et al., in order to simplify the system.

With respect to claim 8, Blaine teaches a printing press, comprising: an impression cylinder; a cylinder, 10, 11, acting as a form cylinder, a blanket cylinder, or both, an applicator roller, 14; and a device for throwing-on impression and throwing-off impression, said device including: a roller throw-on and throw-off bearing for throwing said applicator roller on and off said single cylinder, said roller throw-on and throw-off bearing including a rotatably mounted first actuating element; a cylinder throw-on and throw-off bearing for throwing said single cylinder on and off said impression cylinder, said cylinder throw-on and throw-off bearing including a rotatably mounted second actuating element; a coupler, 13, forming a coupler mechanism together with said first and said second actuating elements. See page 1, lines 32-107 and the Figures.

Blaine does not teach a thrust joint having a dead thrust travel and articulatingly connecting one of said actuating elements to said coupler.

Wadlinger et al. teaches a device for throwing-on and throwing-off a press element in a printing press including a thrust joint, 29, having a dead thrust travel and articulatingly connecting an actuating element to a coupler, 28, said thrust joint having a slot and a joint pin, said joint pin covering a thrust travel within said slot while throwing said single cylinder on and off said impression cylinder. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

It should be noted that Blaine does not teach a single cylinder, wherein the applicator roller is thrown on and off the single cylinder and the same single cylinder is thrown on and off the impression cylinder. However, it is well known in the art to have an applicator roller directly in contact with a single form cylinder, instead of in contact with a plate cylinder, separated from the impression cylinder by a transfer cylinder, as taught by Blaine. Therefore, one having ordinary skill in the art would recognize the advantages of applying the cylinder throw-on and throw-off mechanisms taught by Blaine to the applicator roller and form cylinder in such a system, which combination would satisfy the limitations of this claim.

Also, Wadlinger is silent concerning the length of the slot for the thrust joint with respect to the distance of the thrust travel. Although there is no explicit teaching that the slot has a length greater than the thrust travel, there is also no teaching that this is not the case. As such, the length of the slot would appear to be a matter of design choice,

having no apparent patentable significance and therefore is considered to be obvious to one having ordinary skill in the art.

Response to Arguments

3. Applicant's arguments filed May 19, 2008 have been fully considered but they are not persuasive.

In response to applicant's argument that the references do not teach the newly added claim limitation of claims 1 and 8, as discussed in the above rejection, Wadlinger is indeed silent concerning the length of the slot for the thrust joint with respect to the distance of the thrust travel. However, while there is also no explicit teaching that the slot has a length greater than the thrust travel, there is also no teaching that this is not the case. As such, the length of the slot would appear to be a matter of design choice, having no apparent patentable significance and therefore is considered to be obvious to one having ordinary skill in the art.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JILL E. CULLER whose telephone number is (571)272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

/Jill E. Culler/
Primary Examiner, Art Unit 2854